

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,
Plaintiff,

v.

JUAN HERRERA-SANTOS,
Defendant.

No. CR 07-0764 SI

[PROPOSED] STIPULATED ORDER
CONTINUING STATUS
APPEARANCE

Current Hearing Date: Friday, January
25, 2008 at 11:00 am

Proposed Hearing Date: Friday,
February 1, 2008 at 11:00 am

The defendant Juan Herrera-Santos is currently scheduled to appear before this Court on Friday, January 25, 2008 for motion and trial setting. In this stipulated order, counsel for Mr. Herrera-Santos represents that he will be unavailable on that date because of a conflicting work obligation that arose late last week. In addition, the parties represent that the government will shortly be providing AFD Kalar with a copy of the deportation hearing recording, and that defense counsel will need some time to review this new evidence before setting dates.

Therefore, Mr. Kalar has asked that the hearing date now scheduled for January 25, 2008 be continued to February 1, 2008. AUSA Helou has no objection to this request.

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1 In light of defense counsel's unavailability, and his need to review additional discovery, the
2 status appearance now scheduled for January 25, 2008 is vacated. The matter shall be added to the
3 Court's calendar for Friday, February 1, 2008 at 11:00 a.m. for motion and trial setting. Time shall be
4 excluded from the Speedy Trial Act calculations in light of the unavailability of defense counsel, and
5 to permit for the effective preparation of defense counsel.

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7 IT IS SO ORDERED.



8
9 DATED

SUSAN ILLSTON
United States District Court Judge

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11
12 IT IS SO STIPULATED.

13 January 22, 2008

14 DATED

_____/s_____
JOSEPH P. RUSSONIELLO
United States Attorney
Northern District of California
TAREK J. HELOU
Assistant United States Attorney

15
16
17
18
19 January 22, 2008

20 DATED

_____/s_____
BARRY J. PORTMAN
Federal Public Defender
Northern District of California
STEVEN G. KALAR
Assistant Federal Public Defender